DETAILED ACTION

Summary

1. The amendment filed on July 23, 2009 has been entered.

2. In this amendment, claim 3 was amended. Claims 1, 4-6 and 10 were previously allowed.

3. Regarding the acceptability of the drawings, in the remarks dated January 20, 2009, the applicants state, "Applicants believe the filed drawings to be acceptable." For this reason it was not addressed in the previous action sent by the examiner, as I also find the drawings acceptable. Furthermore, explicitly, the drawings are accepted.

4. Claims 1, 3-6, 9 and 10 are currently pending.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Monica Ullagaddi on November 5, 2009.

The application has been amended as follows: Claim 3 (currently amended)

An apparatus for measuring reaction results of a sample using a biosensor having two working electrodes and one reference electrode, comprising:

at least one operational amplifier that detects an amount of current flowing in respective working electrodes and outputs an amount of current as voltage values,

wherein a non-inverting terminal of the operational amplifier is connected to a voltage source and an inverting terminal of the operational amplifier is connected to a first switch;

a second switch that selectively grounds the reference electrode of the biosensor;

a third switch that selectively grounds one of the two working electrodes of the biosensor;

a display that displays at least one of reaction results of the sample and an error message; and

a microprocessor configured to control ~~that controls at~~ least one of the first, the second and the third switch to supply the two working electrodes with a power supply voltage, to detect the current in the first and second working electrodes, ~~examining~~ to examine whether the sample reaches the two working electrodes, to measure a time interval from when an amount of current flowing in a first working electrode begins to be detected until an amount of current flowing in a second working electrode begins to be detected, to display an error message when the measured time interval exceeds a predetermined critical period, ~~controlling at least one of the first, the second and the third switch~~ to resupply the first and second ~~two~~ working electrodes with the power supply voltage by controlling at least one of the first switch, the second switch and the third switch when the measured time period is within the predetermined critical range, to redetect respective amounts of current flowing in the first working electrode and the second working electrode, to read ~~, reading~~ concentrations corresponding to detected

voltage values, to calculate ~~calculating~~ an average value from the read concentrations, to check whether a difference between each of the read concentrations and the average value exceeds a predetermined critical value, and to display ~~comparing the average value with a predetermined critical range, and displaying at least~~ one of an error message when the different exceeds the predetermined critical value or the calculated average value when the different is within a predetermined critical value ~~and the calculated average value, the microprocessor measuring a time interval from when an amount of current flows in a first working electrode begins to be detected until a time when an amount of current flowing in a second working electrode begins to be detected, displays an error message when the measured time interval exceeds a predetermined critical period, resupplies the first working electrode and the second working electrode with a power supply voltage when the measured time period is within the predetermined critical range, and re-detects the respective amounts of current flowing in the first working electrode and the second working electrode.~~

6. Claims 1, 3-6, 9 and 10 are now found to be allowable.

7. The following is an examiner's statement of reasons for allowance: Via the examiner's amendment, claim 3 is allowable because by phrasing the microprocessor to be "configured to" perform all of the functionality listed following this limitation; it is the position of the examiner that the method steps performed by the microprocessor are given patentable weight. The phrasing "configured to" in the interpretation of the examiner imparts structure for performing these method steps and the steps of the microprocessor performing those steps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KOURTNEY R. SALZMAN whose telephone number is (571)270-5117. The examiner can normally be reached on Monday to Thursday 6:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nam X Nguyen/
Supervisory Patent Examiner, Art Unit 1753

krs
11/6/2009